

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BERRY LYNN ADAMS,

Plaintiff,

v.

DANIEL L. KRAFT, PHILLIP HAUCK, and
K.P. BEST,

Defendants.

Case No.: 10-CV-00602-LHK

ORDER DENYING REQUEST FOR
TRANSCRIPT AT THE EXPENSE OF
THE UNITED STATES GOVERNMENT

On May 14, 2012, following a four-day jury trial, a jury returned a verdict against Plaintiff Berry Lynn Adams, which Plaintiff subsequently appealed to the United States Court of Appeals for the Ninth Circuit. *See* ECF Nos. 254, 260. Plaintiff then filed a request with the Court for a transcript at the expense of the United States Government. ECF No. 262.

Pursuant to Budget Object Code 2532, a district court may only grant fees for transcripts to be paid by the United States in an appeal to a circuit court if “the trial judge . . . certifies that the suit or appeal is not frivolous, and [the] transcript is needed to decide the issue presented by suit or appeal.” *See* Guide to Judicial Policy, Vol. 6, Ch. 5 Transcripts, § 530.75(b)(1). The Court does not find that Plaintiff has satisfied these requirements. Accordingly, Plaintiff’s Motion-Request for Transcript at the Expense of the United States Government is DENIED.

IT IS SO ORDERED.

Dated: November 30, 2012


LUCY H. KOH
United States District Judge